

In The United States District Court For The District  
Of Delaware

Mustafa Whitfield 317479  
(Name of Plaintiff) (Inmate #)

Address 1181 Paddock Road Smyrna DE 19977

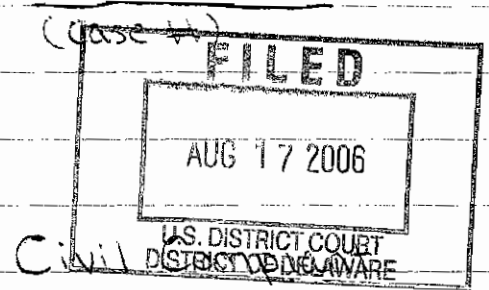
vs.

(1) Glen Howell

(2) Maureen Whelan

(3) Delaware Department of Education

(4) ~~Delaware Correctional Center~~



•• Jury Trial Requested

I Previous Lawsuits

A. I've never filed a lawsuit in Federal Court

II. Exhaustion of administrative remedies

My complaint is not against the prison so there would be no need for a grievance because the prison wouldn't be able to do anything about. N/A for all questions regarding Exhaustion of administrative remedies because they have to do with me filing a grievance

III. Defendants

(1) Glen Howell

Employed as Teacher at Delaware Correctional Center

1181 Paddock Road Smyrna DE 19977

(2) Maureen Whelan

Employed as Teacher/Supervisor at Delaware Correction Center  
1181 Paddock Road Smyrna DE 19977

(3) Delaware Department of Education

The Townsend Building 401 Federal Street Suite 2  
Dover, DE 19901

#### IV. Statement of Claim

Glen Howell: On November 24, 2004 I had an Individualized Education Program (IEP) regarding my special education services in build 21 here at the Delaware Correctional Center. At this IEP was Glen Howell (General Education Teacher) Catherine Frazer (Special Education Teacher / E.D.) and Hazel Showell (Administrator).

During this IEP Glen Howell, Catherine Frazer and Hazel Showell told me that I would get 5 hours per week (one hour a day Monday - Friday) in one on one tutoring from Glen Howell so that I could obtain my General Education Diploma (GED) in about 6 months. I was told that because of security I may get some time do to things that happen in the prison out of their control, but other than that security was fine with me getting the time needed to get my GED. I explained I needed help on thing I had forget and we all agreed that the 5 hours of tutoring would help. I signed the IEP. About one week later Glen Howell told me that I

misunderstood the IEP, that he wasn't suppose to tutor me for an hour everyday Monday - Friday, but he was just suppose to slide the work under my cell door so I could do it, there was no tutoring involved. I complained to Catherine Frazer and about a week later (after I complained) they decided to revise my IEP on December 7, 2004.

Maureen Whelan: On December 7, 2004 I met with Maureen Whelan (Teacher/Supervisor), Glen Howell, a prison Lt (I forgot his name) another educator (I forgot her name to but it should be on the IEP from that day). I explained to Maureen Whelan that Glen Howell told me he's only suppose to slide paperwork under my door, she told me that was false. Maureen Whelan told me that they didn't have enough teachers so they wanted to revise my IEP from 5 hours per week to up to 5 hours per week (zero to 5 hours) I said no because that could mean I might get anytime at all. Mrs. Whelan than said 2 1/2 hours a week. I said no because I don't have anything to do with you guys all of a sudden being short on teachers, when Glen Howell is suppose to help me, not other teachers which we agreed on, on November 24, 2004 (me, Glen Howell, Catherine Frazer and Hazel Showell who was the principal (administrator)) Whelan said it doesn't matter they were going to change it anyway with or without my signature, they signed it without my signature and never gave me a copy of this revised IEP.

Time goes by and Glen Howell kept sliding things under my cell door. I told him I couldn't do it, he would get loud with me saying "Mustafa it's 7<sup>th</sup> grade work, your scores are low, you can do it." He said it loud to disrespect me. At times I did some work ~~and~~ at times I didn't.

In February of 05 myself and a inmate named Michael (I forget his last name by it should be recorded) were placed in a classroom in building 24 to take a test for two hours just us three, Michael, Catherine Frazer and I. Michael and I were shackled. Frazer explained that we should write Maureen Whelan and tell her Glen Howell wasn't helping us. I explained that Whelan already knew, she told me just to write down each day I wrote Whelan. I didn't.

I never received 1 minute of one on one help. Whelan changed my IEP from 5 hours a week to up to 5 hours per week so broad that I couldn't and didn't get 1 minute of my time. Whelan changed my IEP because of "Staff Shortage" yet I didn't get any help even after that nor did they hire help. Maureen Whelan changed it because "Staff shortage" even though she knew: "However, the decision of the amount of time for duration for the IEP cannot be determined by the number of staff available to deliver services." Whelan knowingly changed it because a "staff-shortage" two weeks after I signed it (my IEP) thinking that Glen Howell would help me. I didn't receive anything in the form of one on one services. Because of that I've been very stressed out and



deprived of an education. Also at the time of the December 7, 2004 IEP I was the only inmate in building 21 receiving the education.

Delaware Department of Education: On March 28, 2006 I filed a complaint with the Department. I explained the things in this complaint and I was told that it would be investigated. It was investigated and their investigators claimed nothing was wrong with that, because of somebody in Delaware Correctional Center claiming inmates in 21 weren't aloud to leave the cell for education. They put that in the report, but didn't put in the report that I was aloud to leave for test several times, which proved that to be false. Delaware Department of Education left that out even though they knew I could leave for education. I just couldn't leave the tier or if I did I would have to be shackled to a table.

#### V. Relief

1. Because of stress and aggravation I'm requesting \$5000.00 from Glen Howell \$2000.00 so I could buy books to help myself. \$2000.00 for depriving me of a education and violating my IEP rights without right. \$2000.00 for emotional pain and suffering.

2. Because of stress and aggravation I'm requesting \$5000.00 from Maureen Whelan, \$2000.00 so I could buy books to help myself. \$2000.00 for depriving me of a education and violating my IEP rights without right. \$2000.00 for

emotional pain and suffering.

3. \$5000.00 from the Department of Education for not properly train their staff to deal with special education students and stress. \$5000.00 for not properly putting facts into their investigation which would have help my favor or cause. Hire teachers because of a "shortage" and let me get 5 hours per week for 6 months to help get of GED.

I declare under penalty of perjury that the foregoing is true and correct.

Signed this 1 day of July 2006

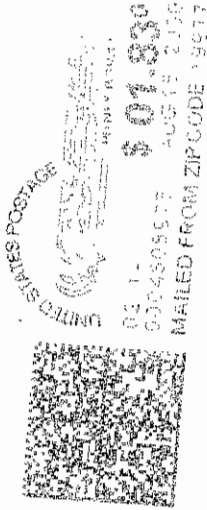
Mustafa Whitefield  
317479

IM Mustafa Whitfield  
SBI# 317479 UNIT 17

DELAWARE CORRECTIONAL CENTER

1181 PADDOCK ROAD

SMYRNA, DELAWARE 19977



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United States District Court  
844 N. King Street, Lockbox 18  
Wilm, DE 19801-3570

U.S.M.S.  
X-RAY